



U.S. Department of Justice

*United States Attorney
Southern District of New York
Civil Division*

*c/o Social Security Administration tel: (212) 264-2217
Office of the General Counsel fax: (212) 264-6372
6401 Security Boulevard,
Baltimore, MD 21235*

October 30, 2023

Granted.

SO ORDERED:

10/30/2023

A handwritten signature in black ink.

HON. ROBERT W. LEHRBURGER
UNITED STATES MAGISTRATE JUDGE

Re: *Nelms v. Commissioner of Social Security*
Civil Action No. 1:23-cv-07648-JGLC-RWL
Joint Letter Request for Extension of Deadlines

Dear Judge Lehrburger:

This Office represents the Acting Commissioner of Social Security (Commissioner), the Defendant in this matter. We write respectfully with Plaintiff to request an extension of the deadlines for filing the certified administrative record (CAR) and subsequent briefing in the above-referenced Social Security case, pursuant to the Standing Order, *In re Briefing of Social Security Cases*, M 10-46, issued on November 18, 2022 (the Standing Order). See ECF no. 4.

Pursuant to the Supplemental Rules for Social Security Actions effective December 1, 2022, the Certified Administrative Record is due on October 30, 2023, Plaintiff's brief is due on November 29, 2023 and Defendant's brief is due on December 29, 2023. See Supp. R. 6-8. Due to large caseloads, and in accordance with the Standing Order, the parties have conferred about a proposed modified and comprehensive schedule for future filings in this case. The parties respectfully request that the Court approve the following proposed schedule:

- The Certified Administrative Record shall be filed on November 29, 2023
- Plaintiff's brief shall be filed by January 29, 2024;
- Defendant's brief shall be filed by March 28, 2024; and
- Plaintiff reply shall be filed by April 10, 2024.

This is the first and only request for an extension of the filing deadlines in this case.

We thank the Court for its consideration of this request.

Respectfully submitted,

DAMIAN WILLIAMS
United States Attorney

BY: *s/Ariella Zoltan*

Ariella Zoltan
Special Assistant U.S. Attorney
Office of Program Litigation, Office 2
Office of the General Counsel
Social Security Administration
6401 Security Boulevard
Baltimore, MD 21235
(212) 264-2217
ariella.zoltan@ssa.gov

/s/ John Hewson

John Hewson, Esq.
Fusco, Brandenstein, & Rada, PC
180 Froehlich Farm Blvd
Woodbury, NY 11797
516-921-3078
Jhewson113@gmail.com